

# House File 860 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HF 540)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to environmental programs, and providing an  
2 effective date.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2445HV 82  
5 da/gg/14

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1 1 Section 1. Section 161C.2, subsection 1, paragraph b, Code  
1 2 2007, is amended to read as follows:  
1 3 b. Any work project with an estimated cost in excess of  
1 4 the competitive bid threshold in section 26.3, or as  
1 5 established in section 314.1B, shall be undertaken as a public  
1 6 contract as provided in chapters 73A and 573. However, the  
1 7 district may waive the requirement for a bond as provided in  
1 8 section 573.2 for a project, if the district estimates that  
1 9 the cost of the project is less than the competitive bid  
1 10 threshold provided in section 26.3. The local contracting

1 11 organization shall designate a contracting officer and shall  
1 12 establish procedures to manage the contract, approve bills for  
1 13 payment, and review proposed change orders or amendments to  
1 14 the contract.

1 15 Sec. 2. NEW SECTION. 460A.1 WATER QUALITY PROGRAMS AND  
1 16 REGULATIONS.

1 17 1. The general assembly finds that a number of state and  
1 18 federal agencies administer programs and regulations providing  
1 19 for the improved quality of Iowa's water resources, including  
1 20 subsurface and surface resources.

1 21 2. State agencies shall cooperate to administer programs  
1 22 and regulations described in this section in order to provide  
1 23 for the maximum improvement of water resources using the most  
1 24 efficient use of public moneys or private contributions  
1 25 devoted to these purposes.

1 26 3. In administering programs for watershed improvements  
1 27 the department of agriculture and land stewardship and the  
1 28 department of natural resources shall cooperate in order to  
1 29 prioritize the receipt of state or federal assistance by  
1 30 watersheds under programs administered by the departments.

1 31 Sec. 3. Section 466A.3, subsection 3, Code 2007, is  
1 32 amended by adding the following new paragraph:

1 33 NEW PARAGRAPH. h. In awarding moneys under a project  
1 34 supported by the fund, provide for a flexible approach which  
1 35 maximizes water quality improvements at the lowest cost  
2 1 feasible.

2 2 Sec. 4. Section 466A.4, subsection 1, Code 2007, is  
2 3 amended to read as follows:

2 4 1. A local watershed improvement committee shall be  
2 5 organized for the purposes of applying for a local watershed  
2 6 improvement grant and implementing a local watershed  
2 7 improvement project. Each local watershed improvement grant  
2 8 application shall include a methodology for attaining  
2 9 measurable, observable, and performance-based results. A  
2 10 majority of the members of the committee shall represent a  
2 11 cause for the impairment of the watershed. The committee  
2 12 shall be authorized as a not-for-profit organization by the  
2 13 secretary of state. Soil and water conservation districts and  
2 14 cities may also be eligible and apply for and receive local  
2 15 watershed improvement grants.

2 16 Sec. 5. LEGISLATIVE INTENT == FUNDING OF WATERSHED  
2 17 IMPROVEMENTS. It is the intent of the general assembly to  
2 18 provide full funding to support projects financed from the

2 19 watershed improvement fund created in section 466A.2.  
2 20 Sec. 6. EFFECTIVE DATE. This Act, being deemed of  
2 21 immediate importance, takes effect upon enactment.

2 22 EXPLANATION

2 23 This bill provides for water quality programs as  
2 24 administered by state departments, including the department of  
2 25 agriculture and land stewardship and the department of natural  
2 26 resources.

2 27 The bill amends Code chapter 161C which provides for water  
2 28 protection projects and practices. Code section 161C.2  
2 29 authorizes a soil and water conservation district to carry out  
2 30 projects to protect this state's groundwater and surface water  
2 31 from point and nonpoint sources of contamination. The Code  
2 32 section provides that any work project is governed under Code  
2 33 chapter 573 which provides processes for contracting for  
2 34 public improvements. Code section 573.2 requires the posting  
2 35 of a performance bond for a contract involving a public  
3 1 improvement for \$25,000 or more. The bill provides that the  
3 2 commissioners of a soil and water conservation district may  
3 3 waive the requirement if they estimate the cost of the project  
3 4 will not exceed the general competitive bid threshold of  
3 5 \$100,000 for general construction bidding as provided in Code  
3 6 section 26.3 (see 2006 Iowa Acts, ch. 1017).

3 7 The bill creates a new Code chapter requiring that state  
3 8 agencies cooperate to administer programs and regulations  
3 9 relating to Iowa's water resources and to prioritize the  
3 10 receipt of state or federal assistance under water quality  
3 11 programs.

3 12 The bill amends provisions in Code chapter 466A relating to  
3 13 grants from the watershed improvement fund created in section  
3 14 466A.2. The bill provides that moneys under a project  
3 15 supported by the fund must be expended using a flexible  
3 16 approach which maximizes water quality improvements at the  
3 17 lowest cost feasible. The bill also provides that cities may  
3 18 be eligible to apply for local watershed improvement grants.

3 19 The bill declares the intention of the general assembly to  
3 20 provide full funding to support projects financed from the  
3 21 watershed improvement fund.

3 22 The bill takes effect upon enactment.

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